

AMENDED IN ASSEMBLY FEBRUARY 8, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1585**

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**Introduced by Assembly Member Alejo**  
(Principal coauthor: Senator Cannella)  
(Coauthor: Senator Monning)

January 6, 2016

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An act relating to water resources, *making an appropriation therefor*, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1585, as amended, Alejo. Monterey County Water Resources Agency: ~~water conveyance~~. *Lake Nacimiento and Lake San Antonio*.

Existing law establishes the Monterey County Water Resources Agency as a flood control and water agency within the County of Monterey. Existing law authorizes the agency to award a design-build contract for the combined design and construction of a project to connect Lake San Antonio, located in the County of Monterey, and Lake Nacimiento, located in the County of San Luis Obispo, with an underground tunnel or pipeline for the purpose of maximizing water storage, supply, and groundwater recharge.

This bill would ~~require no less than~~ appropriate \$25,000,000 from an unspecified source ~~to be allocated, upon appropriation by the Legislature~~, to the agency for the purpose of constructing a water conveyance tunnel between Lake Nacimiento and Lake San Antonio, *Antonio and spillway modifications at Lake San Antonio*, as specified.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Monterey County Water Resources Agency.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: ~~no~~-yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares as follows:

2 (a) Over the past four years, California has grappled with one  
3 of the worst ongoing droughts in the state's history.

4 (b) *The state is riddled with water supply and water quality*  
5 *challenges posed by the relentless drought and is now facing*  
6 *weather forecasts of one of the most powerful El Niño storms ever*  
7 *recorded.*

8 (c) *A major flood event in California has the potential to*  
9 *devastate communities and regional agriculture-based economies*  
10 *and seriously impact the state's economy.*

11 (d) *In Monterey County alone, agriculture generates eight*  
12 *billion one hundred twenty million dollars (\$8,120,000,000) into*  
13 *the local economy and supports more than 76,000 jobs. An*  
14 *additional 20,352 jobs are created as a direct result of the industry.*

15 ~~(b)~~

16 (e) The Monterey County Water Resources Agency manages  
17 Lake Nacimiento and Lake San Antonio, two reservoirs that  
18 ~~provide water supply,~~ *supply water for consumption and*  
19 *groundwater recharge and provide flood control, prevention of*  
20 *salt water intrusion, and recreation in the Salinas Valley.*

21 ~~(e)~~

22 (f) ~~Lake Nacimiento's watershed fills the Lake Nacimiento its~~  
23 ~~reservoir nearly three times faster than Lake San Antonio's~~  
24 ~~watershed fills that reservoir. The Monterey County Water~~  
25 ~~Resources Agency often releases water from Lake Nacimiento~~  
26 ~~because it reaches its capacity, its reservoir, often causing water~~  
27 ~~in Lake Nacimiento to exceed capacity and overflow from the~~  
28 ~~spillway to the ocean, even when Lake San Antonio still has excess~~  
29 ~~storage available.~~ *available storage capacity.*

30 ~~(d)~~

31 (g) The Monterey County Water Resources Agency is planning  
32 ~~to build a tunnel or pipeline between Lake Nacimiento and Lake~~  
33 ~~San Antonio to redirect water from Lake Nacimiento that would~~

1 otherwise be released out to sea and use it to fill excess capacity  
2 in Lake San Antonio. correct these wasteful and potentially harmful  
3 consequences by constructing both of the following:

4 (1) A tunnel or pipeline between Lake Nacimiento and Lake San  
5 Antonio that has the potential to reduce water overflow events by  
6 60 percent.

7 (2) Spillway modifications at Lake San Antonio to increase  
8 storage by approximately 60,000 acre feet.

9 (e) ~~The interlake tunnel project~~

10 (h) These two projects will mitigate the impact of the drought  
11 and improve the economic viability of the Salinas Valley, the  
12 environmental sustainability of the region, and agricultural  
13 production.

14 (f)

15 (i) The Lake Nacimiento and Lake San Antonio region scores  
16 40 percent to 50 percent as a disadvantaged community under  
17 CalEnviroScreen.

18 (g) ~~The state is riddled with water supply and water quality~~  
19 ~~challenges posed by the relentless drought and is now facing~~  
20 ~~weather forecasts of one of the most powerful El Niño storms ever~~  
21 ~~recorded.~~

22 (h) ~~A major flood event in California has the potential to~~  
23 ~~devastate communities, regional agriculture-based economies, and~~  
24 ~~seriously impact the state's economy.~~

25 (i) ~~In Monterey County alone, agriculture generates eight billion~~  
26 ~~one hundred twenty million dollars (\$8,120,000,000) into the local~~  
27 ~~economy and supports more than 76,000 jobs. An additional 20,352~~  
28 ~~jobs are created as a direct result of the prosperous industry.~~  
29 ~~Flooding of our agricultural lands could put all of that into~~  
30 ~~jeopardy.~~

31 (j) Given the Salinas Valley's economic contribution to the  
32 state's agricultural economy and the stress the El Niño storms will  
33 put on the region, the Lake Nacimiento and Lake San Antonio  
34 areas are considered distressed communities and therefore are a  
35 priority for state funding.

36 SEC. 2. ~~Upon appropriation by the Legislature, no less than~~  
37 ~~twenty-five Twenty-five million dollars (\$25,000,000) from \_\_\_\_~~  
38 ~~shall be allocated is hereby appropriated to the Monterey County~~  
39 ~~Water Resources Agency for the purpose of constructing a water~~  
40 ~~conveyance tunnel, constructing, in accordance with the~~

1 design-build process authorized by Section 11.1 of the Monterey  
2 County Water Resources Agency Act (Chapter 1159 of the Statutes  
3 of 1990, as amended by Chapter 865 of the Statutes of 2014),  
4 ~~between Lake Nacimiento and Lake San Antonio within zone 2c~~  
5 *both of the following* in order to maximize water storage, water  
6 supply, and groundwater recharge at the lakes, within the Salinas  
7 River groundwater basin, and the Salinas ~~Valley~~. Valley:

8 (a) *A water conveyance tunnel between Lake Nacimiento and*  
9 *Lake San Antonio within zone 2c.*

10 (b) *Spillway modifications at Lake San Antonio to increase*  
11 *storage by approximately 60,000 acre feet.*

12 SEC. 3. The Legislature finds and declares that a special law  
13 is necessary and that a general law cannot be made applicable  
14 within the meaning of Section 16 of Article IV of the California  
15 Constitution because of the emergency circumstances of the  
16 ongoing drought and the benefits ~~this project between these~~  
17 *projects involving* Lake Nacimiento and Lake San Antonio  
18 managed by the Monterey County Water Resources Agency will  
19 provide to the region.

20 SEC. 4. This act is an urgency statute necessary for the  
21 immediate preservation of the public peace, health, or safety within  
22 the meaning of Article IV of the Constitution and shall go into  
23 immediate effect. The facts constituting the necessity are:

24 In order to responsibly store water during California's prolonged  
25 ~~drought and drought~~, to protect the Salinas Valley from ~~flooding~~  
26 *flooding, and to protect water supply, water quality, distressed*  
27 *communities, and urban and rural property and structures* during  
28 a historic El Niño weather pattern, it is necessary that this act take  
29 effect immediately.